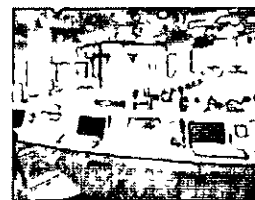


## AGENDA



**Thursday, October 2, 2008**

The Austin City Council will convene at 10:00 AM on  
Thursday, October 2, 2008 at Austin City Hall  
301 W Second Street, Austin, TX

AUSTIN CITY CLERK  
POSTING: DATE/TIME

2008 SEP 26 PM 4 24



Mayor Will Wynn  
Mayor Pro Tem Brewster McCracken  
Council Member Lee Leffingwell, Place 1  
Council Member Mike Martinez, Place 2  
Council Member Randi Shade, Place 3  
Council Member Laura Morrison, Place 4  
Council Member Sheryl Cole, Place 6

For meeting information, contact City Clerk, 974-2210

*The City Council will go into a closed session under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, to discuss or take action on a "competitive matter" of Austin Energy as provided for under Section 551 086, or for other reasons permitted by law as specifically listed on this agenda. If necessary, the City Council may go into a closed session as permitted by law regarding any item on this agenda*

## **Reading and Action on Consent Agenda**

### **Action on the Following:**

#### **Ordinances / Resolutions / Motions -**

**All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.**

## **9:55 AM -- Invocation**

Rev. H. E. Calahan, Pastor, Agape Baptist Church

## **10:00 AM -- City Council Convenes**

**Announcements of proposed items for upcoming council meeting. (No discussion on these items.)**

## **Approval of Minutes**

1. Approve the minutes of the Austin City Council September 25, 2008 Regular meeting

## **Austin Water Utility**

2. Approve Service Extension Request No. 2777 for wastewater service not to exceed an Estimated Peak Wet Weather Flow of 3 gallons per minute (gpm) for LINDA MOODY, the owner of a property containing one (1) Single-Family Residence with one (1) ancillary structure and one (1) guest house, a total of three (3) structures located within the Drinking Water Protection Zone in the City's Limited Purpose jurisdiction at 1401 ALLEN RD. There is no unanticipated fiscal impact. Recommended by the Water and Wastewater Commission.

## **Contract and Land Management**

3. Authorize negotiation and execution of a construction contract with LAMBDA CONSTRUCTION I, LTD, New Braunfels, TX, for the Justin Lane Substation in an amount not to exceed \$1,955,404. Funding in the amount of \$1,955,404 is available in the Fiscal Year 2008-2009 Capital Budget of Austin Energy. Lowest bid of four bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 19.51% MBE and 0.49% WBE subcontractor participation. Recommended by the Electric Utility Commission.

## **Fire**

- 4 Approve an ordinance establishing classifications and positions in the classified service of the Austin Fire Department and repeal Ordinance No. 080908-7. This ordinance also establishes base salary and longevity by the attached pay scales. Funding is included in the Fiscal Year 2008-2009 Operating Budget of the Austin Fire Department.
- 5 Authorize negotiation and execution of an Interlocal Agreement for Fire Protection Services between the City of Austin and the City of Sunset Valley under which Austin will provide fire protection and emergency service response to the full purpose and extra-territorial jurisdiction of the City of Sunset Valley for a period of one year beginning October 1, 2008, with options to renew for up to three one year terms. The City of Sunset Valley shall pay Austin an amount to be determined by multiplying the current fiscal year assessed valuation of Sunset Valley by the fire protection tax rate. Anticipated Revenue for Fiscal Year 2008-2009 is \$445,000. Fiscal Year 2009-2010 revenue is anticipated to be \$455,000.

## **Health and Human Services**

- 6 Authorize negotiation and execution of an Interlocal Agreement with the Austin Independent School District for the City of Austin Health and Human Services Department to provide certain health screenings and health education to students at LBJ High School for a term of nine months beginning October 1, 2008.
- 7 Approve execution of a three-month extension of the Interlocal Agreement with Travis County under which the City of Austin provides public health services, including animal control and shelter services, to Travis County for a term beginning October 1, 2008, in exchange for compensation in the amount of \$658,349. Funding from Travis County in the amount of \$2,967,883 was included in the Fiscal Year 2008-2009 Budget of the Health and Human Services Department General Fund. The term of the agreement is for the period October 1, 2008 through December 31, 2008.

## **Neighborhood Housing and Community Development**

- 8 Authorize the negotiation and execution of a 12-month contract with the Urban Renewal Agency of the City of Austin in an amount not to exceed \$277,350, with four optional 12-month extension periods in an amount not to exceed, \$43,350 for the first extension period, \$38,350 for the second extension period, \$28,350 for the third extension period, and \$13,350 for the fourth extension period, for a total contract amount not to exceed \$400,750 for organizational expenses, property maintenance and the stabilization of structures eligible for historic designation, and approve extension of the current contract with the URA to December 1, 2008 to complete the negotiation and execution of the new contract. Funding is available in Fiscal Year 2008-2009 Neighborhood Housing and Community Development Office 34th Year Community Development Block Grant, East 11th & 12th Streets Redevelopment Program. Funding is subject to Environmental Review and Fund Release, and future funds are based on funding availability.

## **Neighborhood Planning & Zoning**

- 9 Approve an ordinance consenting to the annexation of approximately 0.7 acres into the Senna Hills Municipal Utility District ("MUD"), and approving the Third Amendment to the Senna Hills MUD Consent Agreement which amends the MUD Land Plan to include the 0.7 acre tract, and approving continued provision of water service to the annexed area by the Lower Colorado River Authority. (No unanticipated fiscal impact.) Recommended by Planning Commission and Water and Wastewater Commission.

## **Watershed Protection and Development Review**

- 10 Approve an ordinance approving an agreement with the Austin Community College District to establish use and site development standards for certain improvements at the Rio Grande campus, generally located at 12th and Rio Grande Streets Related to Item #16
- 11 Authorize the City Manager to apply for a \$200,000 Brownfields Assessment Community-Wide Petroleum grant offered by the U S Environmental Protection Agency Funding in the amount of \$200,000 from the U S Environmental Protection Agency over three years beginning Fiscal Year 2009 through 2012

## **Item(s) from Council**

- 12 Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members
- 13 Approve a resolution directing the City Manager to delay the Summary Judgment hearing pertaining to the lawsuit filed against the City of Austin by Savetownlake (Council Member Mike Martinez, Council Member Lee Leffingwell and Council Member Laura Morrison)
- 14 Approve a resolution directing Austin Energy to provide \$145,000 to the Downtown Austin Alliance for the purchase and installation of an LED holiday light system to be fully operational for the 2008 holiday season (Council Member Sheryl Cole, Mayor Will Wynn and Council Member Lee Leffingwell)
- 15 Approve waiver of certain park rental fees for the American Diabetes Association's Step Out to Fight Diabetes Walk 5K to be held on November 15, 2008 at Fiesta Gardens (Mayor Pro Tem Brewster McCracken, Council Member Sheryl Cole and Council Member Laura Morrison)

## **12 00 PM -- Citizen Communications: General**

Nailah Sankofa -- State of Affairs of Black Artists in Austin, Affordable Housing

Jennifer Gale -- Declaration of the intent to run for our Austin City Council on November 11th

Gus Pena -- To Discuss City Issues

Susana Almanza -- Relocate PURE CASTING- Build Affordable Housing

Diana Perez -- Protect our Children! Relocate Pure Casting! Build Affordable Housing!

Paul Avina -- Prostitution

Paul Robbins -- City Issues

Sharon Blythe -- Austin Memorial Park Cemetery

Akwasi Evans -- Economic Reciprocity

Cynthia Valadez -- Respect and protocol between City Hall and the Community

## **Executive Session**

- 16 Discuss legal issues relating to a development agreement establishing use and site development regulations for Austin Community College (Private Consultation with Attorney - Section 551 071) Related to Item #10

## **2.00 PM -- Briefings**

- 17 Staff presentation related to Domain Project contract compliance review and additional contract requirements
- 18 Staff presentation related to impact of Proposition Two (Stop Domain Subsidies) on the City's existing contract obligations
- 19 Briefing on recommendations regarding crane safety inspections and operator certification

## **4:00 PM -- Briefing on Planned Unit Development Assessments**

- 20 CD-2008-0007 - Development Assessment of West Park Planned Unit Development, located at 7800-8022 West U S Highway 290 (except 7912 West U S Highway 290), *within Williamson Creek Watershed - Barton Springs Zone*

## **4.00 PM -- Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)**

- 21 NPA-2008-0016 01 - Govalle/Johnston Terrace Combined Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Approve second/third readings of an ordinance amending Ordinance Nos 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Austin Comprehensive Plan, to change the land use designation on the Future Land Use Map from commercial and office to mixed use and mixed use/office on selected tracts within the Vertical Mixed Use Overlay district within the area bounded by the Austin and Northwestern Railroad on the north, U S 183 on the east, the Colorado River on the south, and Pleasant Valley Road and Webberville Road on the west (East Boggy Creek, Tannehill Creek, Colorado River and Fort Branch watersheds) First reading approved on August 21, 2008 Vote 6-1 (Morrison-nay) Applicant and Agent Neighborhood Planning and Zoning Department City Staff Melissa Laursen, 974-7226
- 22 C14-2007-0259 - Govalle/Johnston Terrace Combined Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Govalle/Johnston Terrace Combined Neighborhood Planning Area, bounded by Pleasant Valley and Webberville Roads on the west, Oak Springs, Airport Boulevard, and the Austin Northwestern Railroad on the north, U S 183 on the east, and the Colorado River on the south (East Boggy Creek, Tannehill Creek, Colorado River and Fort Branch watersheds) Regulations governing Vertical Mixed Use Building dimensional standards, allowable uses for a Vertical Mixed Use Building in office base district zoning, relaxed parking standards for commercial uses in a Vertical Mixed Use Building, and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the Govalle/Johnston Terrace Combined Neighborhood Planning Area

from the overlay district First reading approved on August 21, 2008 Vote 6-1 (Morrison-nay) Applicant and Agent Neighborhood Planning and Zoning Department City Staff Melissa Laursen, 974-7226

- 23 C14-2008-0060 - Zilker Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Zilker Neighborhood Planning Area, bounded by Lady Bird Lake on the north, the Union Pacific Railroad, West Oltorf Street and South Lamar Boulevard on the east, Barton Skyway on the south, and Robert E Lee Road, Rabb Road, and Rae Dell Avenue on the west (Bouldin Creek, Town Lake, Barton Creek-Barton Springs Zone Watersheds) Regulations governing Vertical Mixed Use Building dimensional standards, allowable uses for a Vertical Mixed Use Building in office base district zoning, relaxed parking standards for commercial uses in a Vertical Mixed Use Building, and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude certain properties within the boundaries of the Zilker Neighborhood Planning Area from the overlay district First Reading approved on August 28, 2008 Vote 7-0 City Staff Melissa Laursen, Neighborhood Planning and Zoning Department, 974-7226

**4:00 PM -- Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)**

- 24 NPA-2008-0013 01 -- 706 West Oltorf Street -- Conduct a public hearing and approve  
PH an ordinance amending Ordinance No 020523-32, the Bouldin Creek Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) from high-density single-family to mixed-use office for the property located at 706 West Oltorf Street (East Bouldin Creek Watershed) Staff Recommendation To deny the mixed-use office land use designation Planning Commission Recommendation To deny the mixed-use office land use designation Applicant/Agent Mr Scott Ogle City Staff Jacob Browning, 974-7657
- 25 C14-2008-0164 - 2 456 acres adjacent to Slaughter Lane Substation - Conduct a public  
PH hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1021-1111 West Slaughter Lane (Slaughter Creek Watershed) from development reserve (DR) district zoning to public (P) district zoning Staff Recommendation To grant public (P) district zoning Zoning and Platting Commission Recommendation To grant public (P) district zoning Applicant and Agent City of Austin, Austin Energy (Lena Lund) City Staff Stephen Rye, 974-7604
- 26 C14-2008-0044 001 - Windsor Park Neighborhood Planning Area Vertical Mixed Use  
PH Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations 5701 Cameron Road and 1200 Ridgeway Drive within the Windsor Park Neighborhood Planning Area (Tannehill Branch, Fort Branch Watersheds) from limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning to limited office-mixed use-vertical mixed use building-neighborhood plan (LO-MU-V-NP) combining district zoning Regulations governing Vertical Mixed Use Building dimensional standards, allowable uses for a Vertical Mixed Use Building in office base district zoning, relaxed parking standards for commercial uses in a Vertical Mixed Use Building, and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude 5701 Cameron Road and 1200 Ridgeway Drive from the overlay district Planning Commission Recommendation To exclude 5701 Cameron Road/1200 Ridgeway Drive from the vertical mixed use (VMU) overlay district Applicant and Agent Neighborhood Planning and Zoning Department City Staff Minal Bhakta, 974-6453

**5:30 PM -- Live Music**


The Greyhounds


**5:30 PM -- Proclamations**

**6:00 PM -- Public Hearings and Possible Actions**

- 27 PH Conduct a public hearing to consider comments on issues related to the full purpose annexation of the Las Cimas Annexation Area (Approximately 83 acres in Travis County southwest of the intersection of Loop 360 and FM 2244)
- 28 PH Conduct a public hearing to consider comments on issues related to the full purpose annexation of the RM 620 Commercial Annexation Area (Approximately 48 acres in Williamson and Travis Counties south of Anderson Mill Road on both east and west sides of RM 620)
- 29 PH Conduct a public hearing to consider comments on issues related to the full purpose annexation of the Anderson Mill Road & RM 620 Right-of-way (ROW) Annexation Area (Approximately 35 acres in Williamson and Travis Counties west of the intersection of Anderson Mill Road and U S 183 and north of the intersection of Anderson Mill Road and RM 620)
- 30 PH Conduct a public hearing to consider comments on issues related to the limited purpose annexation of the McCarty Tract Annexation Area (Approximately 14 acres in Williamson and Travis Counties east of FM 1325 approximately 960 feet north of the intersection of FM 1325 and Shoreline Drive)
- 31 PH Conduct a public hearing to consider comments on issues related to the full purpose annexation of the Sandy Loam Trail Annexation Area (Approximately 1.9 acres in Travis County north of Anderson Mill Road along Sandy Loam Trail)
- 32 PH Conduct a public hearing to consider comments on issues related to the full purpose annexation of TSM Ventures Annexation Area (Approximately 23 acres in eastern Travis County southwest of the intersection of Parmer Lane and State Highway 130)
- 33 PH Conduct a public hearing to consider comments on issues related to the full purpose annexation of the Bunny Run Annexation Area (Approximately 6 acres in Travis County south of the intersection of Bunny Run and Live Oak Drive)
- 34 PH Conduct a public hearing to consider comments on issues related to the full purpose annexation of the Anderson Mill Road & U S 183 Annexation Area (Approximately 74 acres in Williamson County northwest of the intersection of Anderson Mill Road and US 183)

**Adjourn**

 The City of Austin is committed to compliance with the Americans with Disabilities Act  
Reasonable modifications and equal access to communications will be provided upon request

 For assistance please call 974-2210 OR 974-2445 TDD

A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de interprete en español comunicándose con la oficina del Secretario/a Municipal a no mas tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.



## **CITY COUNCIL AGENDA**

### Council Meetings

January 10, 2008

January 17, 2008

January 31, 2008

February 14, 2008

February 28, 2008

March 6, 2008

March 20, 2008

March 27, 2008

April 10, 2008

April 24, 2008

May 8, 2008

May 15, 2008

May 22, 2008

June 5, 2008

June 18, 2008

July 24, 2008

August 7, 2008

August 21, 2008

August 28, 2008

September 8, 9, 10

(Budget Readings)

September 25, 2008

October 2, 2008

October 16, 2008

October 23, 2008

November 6, 2008

November 20, 2008

December 11, 2008

December 18, 2008

### Canceled Meetings

January 3, 2008

January 24, 2008

February 7, 2008

February 21, 2008

March 13, 2008

April 3, 2008

April 17, 2008

May 1, 2008

May 29, 2008

June 12, 2008

June 26, 2008

July 3, 2008

July 10, 2008

July 17, 2008

August 14, 2008

September 4, 2008

September 11, 2008

September 18, 2008

October 9, 2008

October 30, 2008

November 13, 2008

November 27, 2008

December 4, 2008

December 25, 2008